

PATENT



Attorney Docket No.: 119929-1015

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Harold R. Garner
Serial No: 09/326,526
Filing Date: June 4, 1999
Group/Art Unit: 2872
Examiner: Phan, J.
Title: DIGITAL OPTICAL CHEMISTRY MICROMIRROR IMAGER

Commissioner for Patents
Washington, D.C. 20231

DECLARATION UNDER 37 C.F.R. § 1.131 OF PRIOR INVENTION IN THE UNITED STATES TO OVERCOME CITED REFERENCE**Purpose of Declaration**

1. This declaration is to establish completion of the invention, which is the subject of the patent application serial no. 09/326,526, filed June 4, 1999, entitled "DIGITAL OPTICAL CHEMISTRY MICROMIRROR IMAGER," which claims priority to provisional patent application serial no. 60/087,948, filed June 4, 1998 in the United States at a date prior to February 1998, which is the date of the prior art cited by the Examiner in the Office Action mailed January 2, 2001.
2. The person making this declaration is the inventor.
3. The Board of Regents, The University of Texas System is the owner of the patent application by Assignment dated June 3, 1998, recorded on June 4, 1998 at reel 9217, frame 0897.

Facts and Documentary Evidence

4. To establish the date of completion of the invention of this application, the following copies of lab notebook pages are attached hereto as Exhibit A and submitted as evidence.
5. From the lab notebook pages attached hereto as Exhibit A, it can be seen that the invention in this application was used to produce a mask pattern on a substrate on the date even

therewith, which is on or before February 23, 1998, which is a date earlier than the effective date of the reference.

Time of Presentation of the Declaration

6. This declaration is submitted prior to final rejection.

Declaration

7. As a person signing below:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature

Date: 2/23/2001

By: Harold R. Garner
Harold R. Garner, Ph.D.
as named inventor.

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- 1) Slide was modified with $(\text{Et}_3\text{O})\text{Si}(\text{CH}_2)_3\text{N}(\text{CH}_2\text{CH}_2\text{OH})_2$ as described on p. 114.
- 2) washed slide with Spacer 18 (Glen Research) + Activator followed by capping and oxidation.

- 3) Dried slide in desiccator for weekend.

Reaction on the Robert's machine:

- (1) Deblock ; wait (1 min), wash with CH_3CN
- (2) Activator + UV-PG-C-phosphoramidite; wait, wash
- (3) Cap 1 + Cap 2; wait, wash
- (4) Oxidize; wait, wash
- (5) UV-light; 5 min, without any filter
- (6) Used mask wash
- (7) Activator + CY-phosphoramidite; wait, wash

To Page No. _____

Witnessed & Understood by me, _____

Date

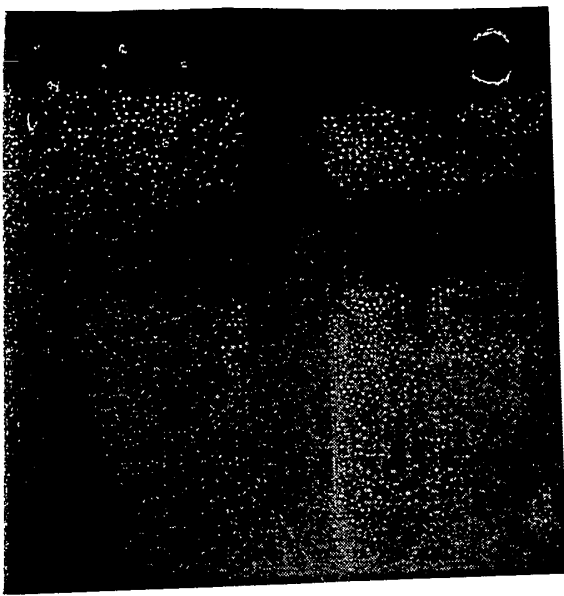
11-11-97

Invented by _____

Date

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mask

tabbles	EXHIBIT
	A

12

11/11/97 15:35

Focus

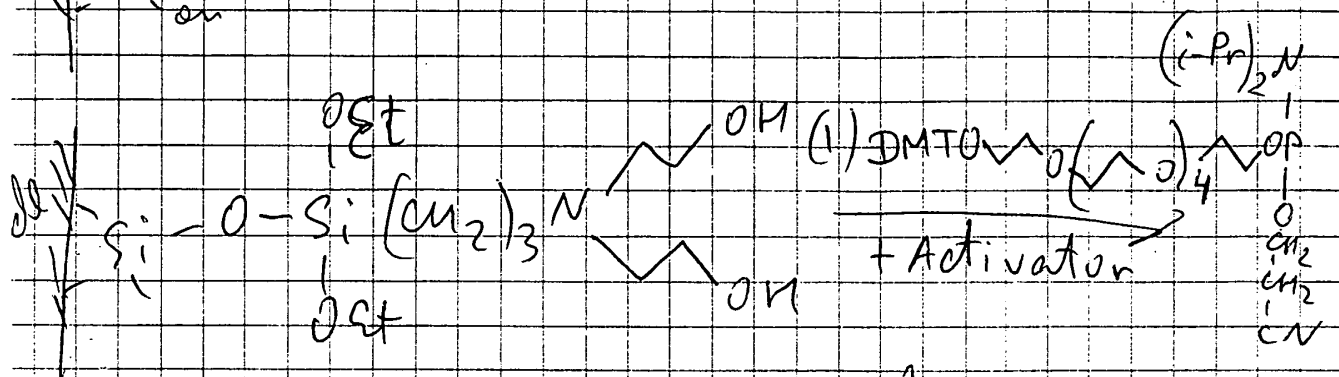
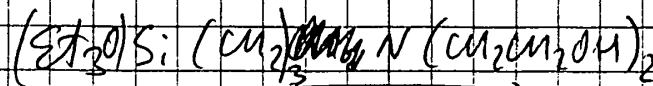
Page 1

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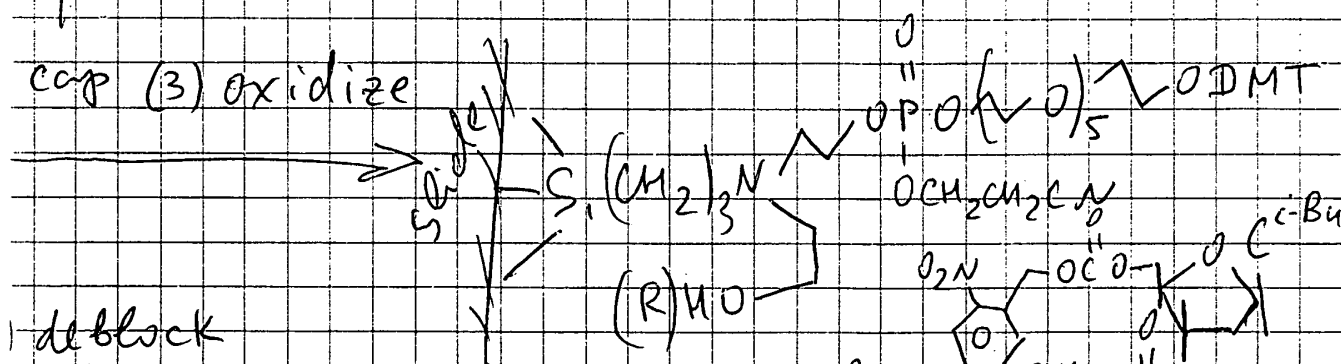
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Chemistry of successful run

A



cap (3) oxidize

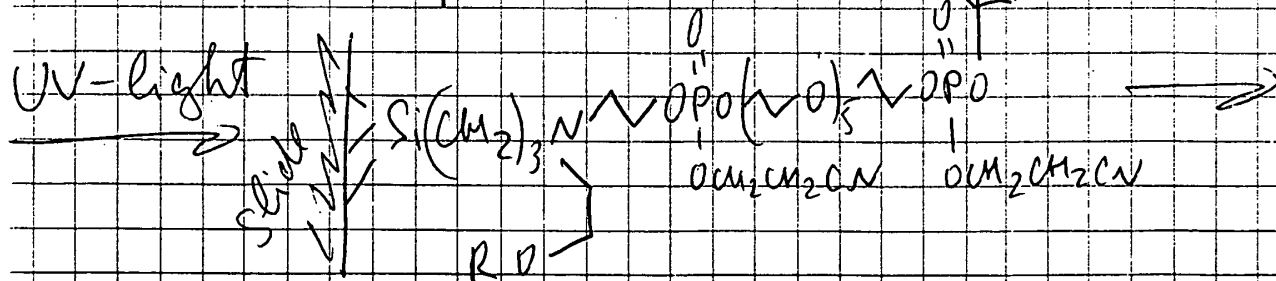


de block

1) Activator +
+ W-PG-e-phosp

1 cap

oxidize

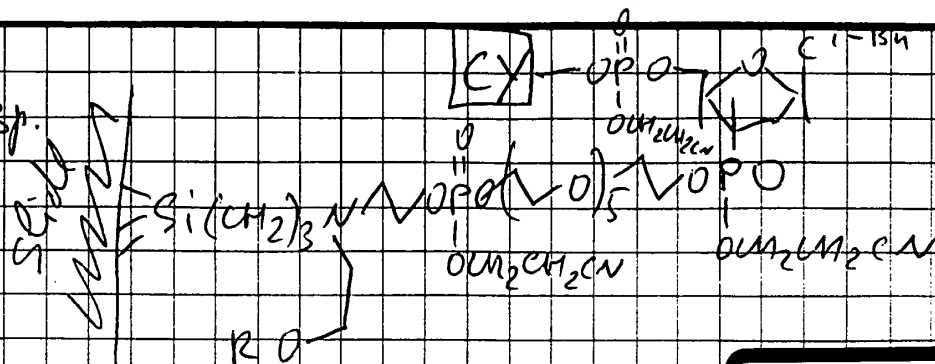


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1) Act. + CY-phosp.

2) oxidize



1/ make slides

modif. CY-3 non-modif. CY-3

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11-11-97

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EXHIBIT

A

MMD

1) Used $\text{Si}(\text{CH}_3)_3\text{N}(\text{CH}_2\text{CH}_2\text{OH})_2$ PEPER SLIDE PREPARED BY ~~THE~~
 YOU AS SHOWN ON PG 119.

~~ADD ACTIVATOR~~

~~Put slide on EXHAUSTION DEVICE ADD 1:1 DEBLOCKER: ACTIVATOR~~

~~1) CAPPED (1:1, CAP A: CAP B)
 OXIDIZED (I_2)~~

WASH = ACETONITRILE

ADD SPACER & ACTIVATOR (1:1 RATIO) (SEE PAGE 122 FOR SPACER STRUCTURE)

CAPPED (1:1 CAP 1: CAP 2), WAIT, WASH

OXIDIZED, WAIT, WASH

1) DEBLOCKED, WAIT, WASH

1) ADDED UV-PG-C- P_i : ACTIVATOR (1:1) RATIO WAIT, WASH

CAPPE, WAIT, WASH

OXIDIZED, WAIT, WASH

UV LIGHT (15 MIN) NO FILTER, USED MASK GRID

1) TOOK OUT OF REAG CHAMBER

REST IS UNDER HOOD

1) ADDED ACTIVATOR : GV-P_i IN 1:1 RATIO, WASH

1) OXIDIZED, WASH, WASH

1) WASH w/ ACETONIT

LOOK THROUGH MICROSCOPE

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& Understood by me,

Date

11-12-77

Invented by

Recorded by P. R. RALOG

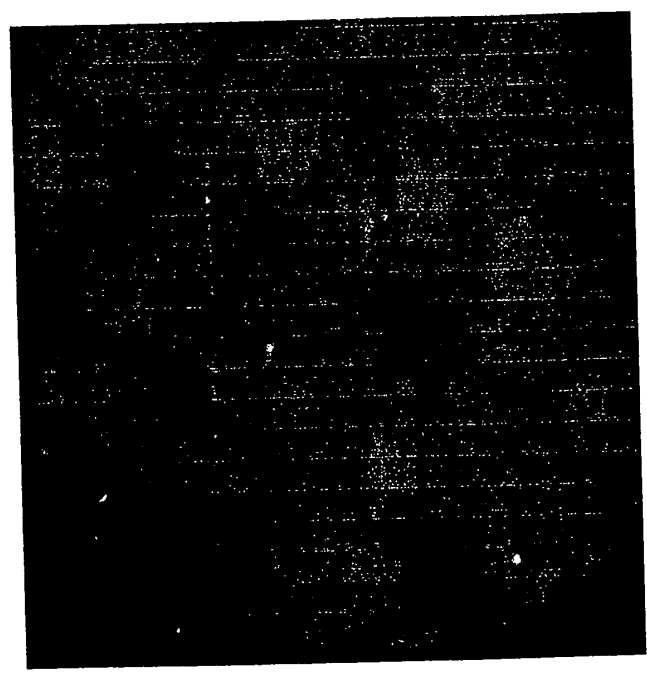
Date

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Respect

EXHIBIT

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